
TO:	The Honorable James H. Harrison, Chairman, House Judiciary Committee		
FROM:	Office of State Budget, Budget and Control Board		
ANALYSTS:	Rodney Grizzle, Beth Quick and Torina Wood		
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AUTHOR:	Representative G. M. Smith	PRIMARY CODE CITE:	24-13-100
SUBJECT:	Middle Court Processes Act		

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:
See Below

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:
See Below

BILL SUMMARY:

House Bill 3166 would enact the Middle Court Processes Act.

EXPLANATION OF IMPACT:

The net impact on the State as a whole depends on the success of the Middle Court process in diverting offenders from incarceration. However, the number of individuals who may participate in the program, and their subsequent successful or unsuccessful completion of the program, is not readily determinable. In addition, Section 1 amending the definition of “no parole offense” would likely affect the overall net impact on the State and its prison population. The Department of Corrections indicates over 8,000 inmates are currently received annually under the felonies added to the “no parole definition” as contained in the Bill.

The impact on the **Department of Probation and Parole Services (DPPP)** depends on the actual number of individuals who would participate in the Middle Court process. DPPP indicates as many as 6,876 offenders may come under community supervision upon enactment excluding consideration of those that would come to the department from magistrates courts. If this number of individuals participated DPPP indicates it would need 45.00 additional agents. First year impact on the General Fund of the State can be estimated at \$2,260,234 which includes \$309,320 in one-time non-recurring expenses. Annual salary, fringe benefits and other operating expenses can be estimated at \$1,590,914. DPPP also indicates the Department would need additional staff to handle intake and court liaison responsibilities which is not reflected in the figures above.

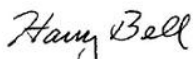
Section 14-29-90 of the Bill states the General Assembly shall appropriate funds annually to an account to be used for the payment of mileage, subsistence, and per diem for middle court judges. Assuming monthly expenditures of \$500 per judge the annual impact of this provision for 16 circuits can be estimated at \$96,000.

The **Attorney General’s Office** and the **Judicial Department** each indicate the additional duties enumerated in the Bill for each of these agencies could be handled within existing resources.

LOCAL GOVERNMENT IMPACT:

As with the State the net impact on local government is not readily determinable.

Approved by:



Harry Bell

Assistant Director, Office of State Budget